

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

DONNA CURLING, ET AL., :  
 :  
 PLAINTIFFS, :  
 vs. : DOCKET NUMBER  
 : 1:17-CV-2989-AT  
 BRAD RAFFENSPERGER, ET AL., :  
 :  
 DEFENDANTS. :

**TRANSCRIPT OF HEARING ON PRELIMINARY INJUNCTION PROCEEDINGS  
BEFORE THE HONORABLE AMY TOTENBERG  
UNITED STATES DISTRICT JUDGE**

**JULY 26, 2019**

**9:37 A.M.**

**VOLUME 2 OF 2**

***MECHANICAL STENOGRAPHY OF PROCEEDINGS AND COMPUTER-AIDED***

***TRANSCRIPT PRODUCED BY:***

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UNITED STATES DISTRICT COURT  
OFFICIAL CERTIFIED TRANSCRIPT

**A P P E A R A N C E S   O F   C O U N S E L**

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(...cont'd...)

1 (...cont'd....)

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3 **FOR THE FULTON COUNTY DEFENDANTS:**

4

KAYE BURWELL  
CHERYL RINGER  
DAVID LOWMAN  
OFFICE OF THE FULTON COUNTY ATTORNEY

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1 device, ballot marking, and each run in the 5- to 6000-dollar  
2 ranges.

3 And projecting the numbers that I was kind of using  
4 earlier, we would be looking at probably \$900,000 minimum to  
5 implement this kind of system in our county at this point.

6 **Q.** Just rough back-of-the-napkin math?

7 **A.** Yes.

8 **Q.** Could you lower that number by utilizing central scanning?

9 **A.** We could. I think it is a dangerous precedent though.

10 **Q.** And why is that?

11 **A.** Well, we have experience with hand-marked paper ballots  
12 today because absentees are hand marked. We experience about a  
13 four percent error rate on hand-marked ballots. Voters change  
14 their mind. They don't read the instructions on the ballot  
15 that says fill in the oval. They make checkmarks. They do Xs.  
16 They make a mark. Then they say, you know, that is not what I  
17 want. They draw an X through it. They go down and mark the  
18 one below. They draw a little arrow and say, use this one.  
19 The machines don't read that real well. Sometimes they just  
20 mark two circles.

21 So if you are doing scanning in a poll, it is going to be  
22 caught in the poll while the voter is standing there because  
23 the voter is going to be feeding the ballot to the machine. If  
24 you bring that to the central office, then that problem is  
25 going to come back to the central office post election. The

## C E R T I F I C A T E

UNITED STATES OF AMERICA

NORTHERN DISTRICT OF GEORGIA

I, SHANNON R. WELCH, RMR, CRR, Official Court Reporter of the United States District Court, for the Northern District of Georgia, Atlanta Division, do hereby certify that the foregoing 379 pages constitute a true transcript of proceedings had before the said Court, held in the City of Atlanta, Georgia, in the matter therein stated.

In testimony whereof, I hereunto set my hand on this, the 2nd day of August, 2019.

*Shannon R. Welch*

SHANNON R. WELCH, RMR, CRR  
OFFICIAL COURT REPORTER  
UNITED STATES DISTRICT COURT

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